

ORDINANCE NO. 20081211-013

AN ORDINANCE VACATING AN ALLEY BETWEEN 5TH STREET, 6TH STREET, BRAZOS STREET AND CONGRESS AVENUE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Council approves vacation of the alley between 5th Street, 6th Street, Brazos Street and Congress Avenue, more particularly described in Exhibit A, attached to and incorporated as part of this ordinance, to Walton Stacy Office Partners IV, LP and Walton Stacy LF Land Partners IV, LP to allow construction of a unified project on property currently divided by the alley.

PART 2. Lynn Ann Carley, on behalf of Walton Stacy Office Partners IV, LP and Walton Stacy LF Land Partners IV, LP has posted funds of \$110,000.00 (the appraised fair market value of the area being vacated) with the City, to be deposited after approval of this ordinance.

PART 3. The vacation described in Part 1 of the ordinance is contingent upon deposit of the funds, as described in Part 2.

PART 4. The vacation is made subject to any easements and restrictions filed of record in Travis County, Texas. A public utility easement, drainage easement, and access easement are reserved over and across the area described in Exhibit A.

PART 5. This ordinance takes effect on December 22, 2008.

PASSED AND APPROVED

December 11, 2008

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§
§

Will Wynn
Will Wynn
Mayor

APPROVED: _____
David Allan Smith
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
Shirley A. Gentry
City Clerk

EXHIBIT "A"

ALLEY VACATION

DESCRIPTION OF 5525 SQUARE FEET, MORE OR LESS, OF LAND AREA, BEING THE ALLEY LOCATED IN BLOCK NO. 56, OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

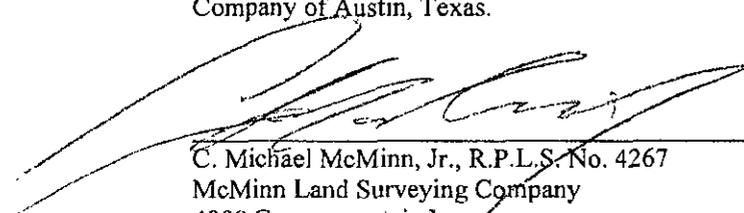
BEGINNING at P.K. Nail found in granite in the south line of East 6th Street, for the northeast corner of Lot 6 of the aforereferenced Block No. 56, same being the northwest corner of the subject Alley and being the northwest corner of the herein described tract of land;

THENCE leaving the PLACE OF BEGINNING and said Lot 6, with the common line of East 6th Street and the Alley, S 71°06'30"E 20.00 feet to a hole found drilled in concrete for the northwest corner of Lot 7 of Block No. 56, same being the northeast corner of the subject Alley and being the northeast corner of the herein described tract of land;

THENCE leaving East 6th Street, with the common line of the Alley and Lots 7-12, Block No. 56, S 19°00'00"W 276.43 feet to a spindle found in the north line of East 5th Street for the southwest corner of Lot 12 of Block No. 56, same being the southeast corner of the subject Alley and being the southeast corner of the herein described tract of land;

THENCE leaving Lot 12, with the common line of East 5th Street and the Alley, N 71°03'45"W 20.00 feet to a concrete nail found for the southeast corner of Lot 1 of Block No. 56, same being the southwest corner of the subject Alley and being the southwest corner of the herein described tract of land;

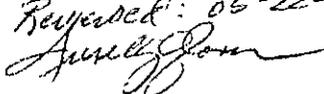
THENCE leaving East 5th Street, with the common line of the Alley and Lots 1-6, Block No. 56, N 19°00'00"E 276.42 feet to the PLACE OF BEGINNING. There are contained within these metes and bounds, 5525 square feet, more or less, of land area, as described from record information and measurements made on the ground on April 2, 2006 by McMinn Land Surveying Company of Austin, Texas.



C. Michael McMinn, Jr., R.P.L.S. No. 4267
McMinn Land Surveying Company
4008 Greenmountain Lane
Austin, Texas 78759

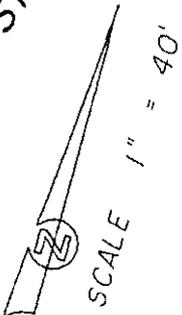
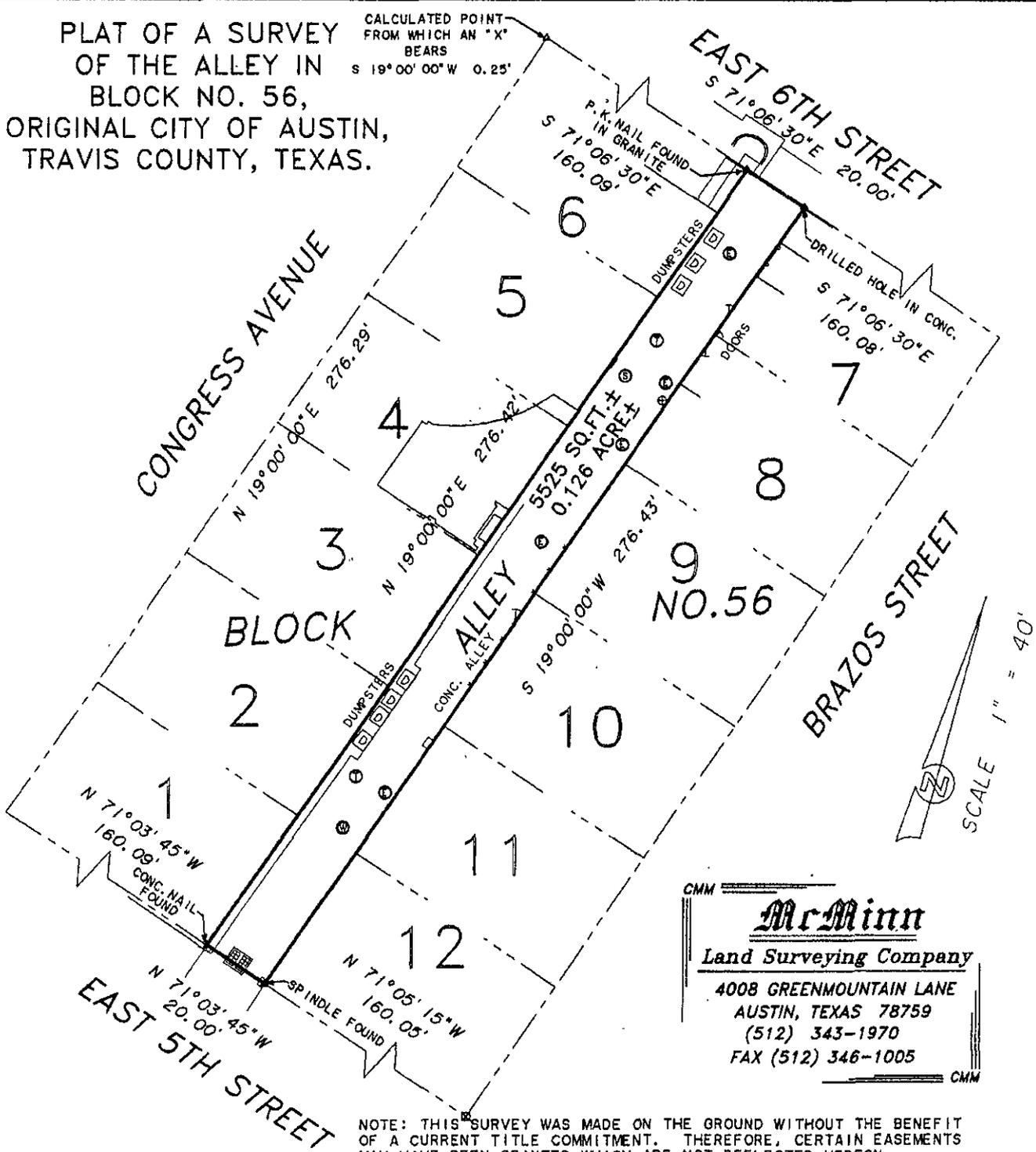
DATE : January 28, 2008
SUBDIVISION : Original City of Austin
COUNTY : Travis, Texas.

J.O. No. : 010508
JND0316

Revised: 05-22-08


PLAT OF A SURVEY
OF THE ALLEY IN
BLOCK NO. 56,
ORIGINAL CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS.

CALCULATED POINT
FROM WHICH AN "X"
BEARS
S 19° 00' 00" W 0.25'



CMM
McMinn
Land Surveying Company
4008 GREENMOUNTAIN LANE
AUSTIN, TEXAS 78759
(512) 343-1970
FAX (512) 346-1005
CMM

NOTE: THIS SURVEY WAS MADE ON THE GROUND WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.

PLAT PREPARED FROM RECORD INFORMATION AND MEASUREMENTS MADE ON THE GROUND ON APRIL 2, 2006, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE April 3, 2006
SCALE 1" = 40'
FB/PG 290/37-41
J. O. # 031606

C. MICHAEL McMINN, JR., R.P.L.S. NO. 4267
THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE IN GREEN INK AND THE IMPRESSION SEAL OF THE ABOVE SURVEYOR.
Copyright 2006 McMinn Land Surveying Company